

NIGHT BOX
FILED

SH SEP 10 2001

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CLARENCE MADDOX
CLERK, USDC / SDFL / MIA

CASE NO 00-6273-CR-HUCK/BROWN

UNITED STATES OF AMERICA,

PLAINTIFF,

v

ANTHONY TRENTACOSTA, et al ,

DEFENDANTS

GOVERNMENT'S RESPONSE TO DEFENDANT HERNANDEZ'
SECOND REQUEST FOR IMMEDIATE DISCLOSURE OF BRADY MATERIAL

The United States of America, by and through the undersigned Assistant United States Attorney, hereby files its response to defendant Ariel Hernandez' second motion for Brady material¹

In his Motion, the defense seeks information in the possession of the government which "tends to show that Co-Defendant, Anthony Trentacosta, has either completely or partially, severed his alleged ties with the Gambino Crime Family" Further, the defendant requests the production of "any and all information which suggests that Anthony Trentacosta is no longer an active member of the Gambino Crime Family, has entered retirement or semi-retirement, or has in any way modified

¹The defendant's motion was docketed on August 21, 2001, however, a service copy was never received by the undersigned. This may be due, at least in part, to the fact that the undersigned's address as stated on the certificate of service is incorrect. By notice herein, it is requested that all future pleadings be sent to the undersigned at 500 E Broward Blvd , Suite 700, Ft Lauderdale, Florida 33394

SH *BB*

his relationship or level of activity with the Gambino Crime Family " Such a request is over broad in that it seeks information which post-dates the indictment The government does not object to providing any such information as is applicable to the period of time preceding the return of the indictment on September 19, 2000 However, to the extent that the defendant seeks information concerning co-defendant Trentacosta's activities since the return of the instant indictment, the government respectfully suggests that any such information is irrelevant and immaterial

WHEREFORE, the government respectfully requests that this Court deny the defendant's second request for Brady material insofar as it seeks the production of matters concerning co-defendant Trentacosta's post-indictment activities

Respectfully submitted,

GUY A LEWIS
UNITED STATES ATTORNEY

By


LAWRENCE D. LaVECCHIO
Assistant U S Attorney
Fla Bar No 0305405
500 E Broward Blvd , 7th Floor
Ft Lauderdale, Florida 33394
(954) 356-7255/(954) 356-7230 - fax

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was delivered by U S mail to the following on this 10th day of September 2001

Stephen H Rosen, Esq (for Anthony Trentacosta)
1221 Brickell Avenue, Suite 1020
Miami, Florida 33131

Fred Haddad, Esq (for Frederick J Massaro)
One Financial Plaza, Suite 2612
Fort Lauderdale, Florida 33394

Samuel D DeLuca, Esq (for Francis Ruggiero)
3451 John F Kennedy Blvd
Jersey City, New Jersey 07307

Jeffrey Wemkle, Esquire (for Ariel Hernandez)
1035 NW 11th Avenue
Miami, Florida 33136

Donald Spadaro, Esquire (for Julius B Chiusano)
1000 S Federal Highway, Suite 103
Fort Lauderdale, Florida 33316

Michael G Smith, Esquire (for Adam Todd Silverman)
633 SE 3rd Avenue, Suite 4F
Fort Lauderdale, Florida 33301

Albert Z Levin, Esquire (for Carlos Garcia)
888 Brickell Avenue, Sixth Floor
Miami, Florida 33131

Thomas Almon (for Charles P Monico)
321 NE 26th Street
Miami, Florida 33137

Manuel Gonzalez, Esquire (for Anthony R. Banks)
782 NW Le Jeune Road, Suite 440
Miami, Florida 33126



LAWRENCE D LaVECCHIO
Assistant United States Attorney